

**EXHIBIT B**



**BRONX-LEBANON**  
HOSPITAL CENTER

March 11, 2004

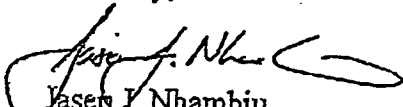
Aida Morales, Organizer  
L-1199, National Health &  
Human Service Employees Union  
310 West 43rd Street  
New York, NY 10036

RE: William Frimpong  
Housekeeping  
STEP III GRIEVANCE APPEAL

Dear Ms. Morales:

A Step III grievance hearing was concluded on March 10, 2004 on appeal of the disciplinary penalty of dismissal effective December 8, 2003. Upon reviewing the arguments presented at the hearing, it is my determination that Mr. Frimpong is guilty of the conduct indicated in the Record of Conference. It is further determined that the penalty of dismissal is appropriate. The finding of guilt and the penalty are affirmed. Accordingly, this grievance is denied.

Sincerely,

  
Jaser J. Nhambiu  
Manager, Labor Relations

cc: S. Griffin-Mahon  
R. Lopez  
D. Marchak

Affiliated with Albert Einstein  
College of Medicine

Human Resource Division  
1780 Grand Concourse, 2<sup>nd</sup> Floor  
Bronx, New York 10457  
Phone: (718) 466-8501

**EXHIBIT C**

conclusion of the hearing. The Board may affirm, reverse or modify the decision of the Unionwide Hearing and Appeals Board and may order any relief it deems appropriate under the facts and circumstances.

#### **B. Complaints against an Officer or Other Executive Council member**

##### **Section 5—Unionwide Hearing & Appeals Board**

(a) A complaint against an officer or other Executive Council member shall be filed with the President of the Union unless the complaint is against the President, in which case it shall be filed with the Secretary-Treasurer. The President or the Secretary-Treasurer, as the case may be, shall convene the Unionwide Hearings and Appeals Board within thirty (30) days of receipt of the complaint. Notice of the hearing date, time and place, together with a copy of the complaint, shall be sent to the parties involved not later than ten (10) days prior to the date of hearing.

(b) The Board shall hear the parties and witnesses and based on all of the evidence presented, both oral and documentary, shall render its decision. The Board may dismiss the complaint, issue a reprimand or censure, impose a fine or a suspension or expulsion or make any other decision or ruling it deems appropriate or necessary under the facts and circumstances. The Secretary of the Board shall maintain and preserve the records of the hearing, including the Board's decision, copies of which shall be forwarded to the parties and the President or the Secretary-Treasurer of the Union, as the case may be. A formal transcript of the hearing need not be made.

(c) Any further appeals by an officer or other Executive Council member shall be in accordance with the procedure set forth in Sections 4 and 5 above.

##### **Section 6—Appeals Relating to Arbitration of Grievances**

(a) No member shall file a charge of unfair representation at the NLRB or start a law suit based on unfair representation against the Union unless and until such employee has exhausted the internal remedies provided hereunder.

(b) Whenever an organizer and/or officer, after completion of the grievance procedure and when the contract time limitation for arbitration commences, decides that there is not basis for arbitration, the organizer and/or officer in charge shall immediately advise the

employee, in writing, of his or her right to appeal this decision to the Chapter and/or Area Board. If the employee indicates by written notice within 48 hours thereafter that he or she desires to appeal the decision of the organizer and/or officer, the said organizer and/or officer shall see to it that the applicable Chapter and/or Area Hearing Board shall be convened without delay to hear the member's version of the matter and make a prompt determination whether to sustain or reverse the organizer and/or officer who made the decision against arbitration. If the Chapter and/or Area Hearing Board decides in favor of arbitration, the Union shall be obligated to proceed with the arbitration. If, on the other hand, the Chapter and/or Area Hearing Board decides to sustain the organizer and/or officer, then and in that event:

(c) The member shall be promptly advised, in writing, of his or her right to a further hearing before the Division Hearing and Appeals Board. If the member decides to pursue such further appeal, the member must, within 48 hours of the aforesaid notice, notify in writing the organizer and/or officer of his or her desire to make such appeal to the Division Hearing and Appeals Board. In the latter case, the organizer and/or officer shall promptly convene the Division Hearing and Appeals Board for a hearing and the member involved shall be given written notice of the date, time and place of the hearing. If the Division Hearing and Appeals Board decides in favor of arbitration, the Union shall proceed to arbitration. If, on the other hand, the Division Hearing and Appeals Board sustains the decision not to arbitrate, said decision by the Division Hearing and Appeals Board shall be final and binding.

(d) In view of the contract time limitation to initiate grievance arbitration the above procedure shall be followed by all parties without delay. However, the Union, despite the organizer's and/or officer's decision to forego arbitration may, pending any appeals as above set forth, in order to avoid the possibility of exceeding the contract time limitations initiate an arbitration and in the event the organizer's and/or officer's decision not to arbitrate is sustained on appeal, the Union may then withdraw the arbitration as if it had never been initiated.

(e) This Section shall be limited to complaints against an organizer and/or officer of the Union in respect solely to arbitration of a member's grievance or grievances under the applicable contract provision.

**EXHIBIT D**



310 West 43rd Street  
New York, NY 10036-6407

(212) 582-1890

www.1199seiuonline.org

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Dennis Rivera

SECRETARY TREASURER  
George Gresham

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Yvonne Armstrong  
Marshal Blake  
Aida Garcia  
Glenn Goliber\*  
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Minerva Solla  
Clare Thompson  
Kathy Tucker  
Nelson Valdez  
Laurie Valkone  
Mary Whitten\*  
Carlton Yearwood

GENERAL COUNSEL  
Daniel J. Ratner, Esq.

CHIEF FINANCIAL OFFICER  
Louise Bayer

\*Acting

Via Certified Mail: 7004 0750 0004 3060 4697

December 30, 2004

William Frimpong  
PO Box 1491  
Bronx, NY 10451

Dear Mr. Frimpong:

You're presence is requested at a meeting of the Chapter and Hearings Board of Bronx Lebanon Hospital, Concourse Division.

The meeting is scheduled for Wednesday, January 12<sup>th</sup>, 2005 at 4:00 PM in the Murray Cohen Auditorium. Please make the necessary arrangements to attend. It is pertinent that you contact me in advance in writing, if for any reason you are not able to attend this meeting.

Sincerely,

Aida Morales/1199 Organizer

cc: Mary Whitten - Vice President 1199

AM/ala

**EXHIBIT E**



310 West 43rd Street • New York, NY 10036-6407 • Telephone: 212/261-2286 • Fax: 212/767-1747

CMRR #70993400001377962014  
& Regular Mail

**Legal Department**

May 26, 2005

Mr. William Frimpong  
P.O. Box 1491  
Bronx, NY 10451

**Re: Institution: Bronx-Lebanon Hospital**  
**Dept.: Housekeeping/HouseKeeper**

Dear Ms. Frimpong:

The Health Systems Division Hearings and Appeals will convene to hear your case on **Wednesday, June 15, 2005 at 6:00 p.m.**

The hearing will be held at 310 West 43<sup>rd</sup> Street (Union Headquarters), 7<sup>th</sup> Floor, Conference Rm. 3.

Please bring to the hearing, any documents, witnesses, delegates and/or representatives and all information, which will support your case. Kindly respond within 48-hours of receipt of this letter. **No attorneys are allowed at the Hearing.** If you have difficulty being present or if you have any questions, please contact your Organizer Aida Morales at 212-261-1152.

Fraternally,

*Eustace Jarrett (mr)*

Eustace Jarrett  
EVP, Legal Dept.

EJ:mr

Cc: Aida Morales, Organizer  
Mary Whitten, VP  
Mike Rifkin, EVP

**P.S. You are required to be present no later than 15 minutes after the scheduled time of your hearing, or your hearing will be rescheduled. Should you fail to contact your Organizer and you do not call or attend your hearing, your case will be closed for your lack interest.**



**EXHIBIT F**

**1199 SEIU**



310 West 43rd Street • New York, NY 10036-6407 • Telephone: 212/261-2286 • Fax: 212/767-1747

CMRR #70993400001377961963  
& Regular Mail

**Legal Department**

June 16, 2005

Mr. William Frimpong  
P.O. Box 1491  
Bronx, NY 10451

**Re: Institution: Bronx-Lebanon Hospital**  
**Dept.: Housekeeping/Housekeeper**

Dear Mr. Frimpong:

The Hearings and Appeals Board of the Health Systems Division has carefully considered your appeal of the decision not to arbitrate your claim.

The Board has determined to uphold the decision of the Chapter Hearing and Appeals Board. After reviewing all information presented by you, it is concluded that there is virtually no likelihood of succeeding at arbitration.

Pursuant to Article IX, Section 6 of our constitution, the decision in this matter is final.

We regret that the facts and circumstances did not allow for a different decision in your case. We hope you understand that the union cannot effectively pursue the many meritorious grievances that arise if it is unduly burdened with cases that have no realistic prospect of success.

Our best wishes for the future.

In solidarity,

  
Eustace Jarrett  
EVP, Legal Department

EJ:mr

cc: - Aida Morales, Organizer  
Mary Whitten, VP  
Mike Rifkin, EVP